

May 5, 2003

Mr. Leon Ableidinger, Chairperson
South Central Prairie Special Education Unit
PO Box 380
Steele, ND 58482-0380

Dear Mr. Ableidinger,

The North Dakota Department of Public Instruction (NDDPI) Office of Special Education conducted a Verification Review in the South Central Prairie Special Education Unit during March 4-6, 2003, for the purpose of assessing compliance in the implementation of the Individuals with Disabilities Education Act (IDEA) and assisting your Unit in developing strategies to improve results for children with disabilities. The IDEA Amendments of 1997 focus on “access to services” as well as “improving results for children and youth with disabilities.” In the same way, the Continuous Improvement Monitoring Process implemented by NDDPI is designed to focus federal, state, and local resources on improved results for children with disabilities and their families through a working partnership among NDDPI, the South Central Prairie Special Education Unit, parents, and stakeholders.

In conducting its review of the South Central Prairie Special Education Unit, NDDPI applied the standards set forth in the IDEA ‘97 statute and Part B regulations (34 CFR Part 300), as they were in effect at the time of the review. On March 12, 1999, the United States Department of Education published new final Part B regulations that took effect on May 11, 1999. In planning and implementing improvement strategies to address the findings in this report, the South Central Prairie Special Education Unit should ensure that all improvement strategies are consistent with the new final regulations.

The enclosed report addresses strengths noted during the review, areas that require corrective action because they represent noncompliance with the requirements of the IDEA, and suggestions for improvements that will lead to best practice. Enclosed you will find an *Executive Summary* of the Report, an *Introduction* including background information, and a *description* of issues and findings. NDDPI will work with you to develop corrective actions and improvement strategies to ensure improved results for children with disabilities.

Thank you for the assistance and cooperation provided by the South Central Prairie Special Education Unit staff and self-assessment team members during our review. Throughout the course of the review, Kathy Schauer, Director of Special Education, was responsive to requests for information and assistance from NDDPI personnel.

Thank you for the continued efforts toward the goal of achieving better results for children and youth with disabilities in North Dakota. Since the enactment of IDEA and its predecessor, the Education of All Handicapped Children Act, one of the basic goals of the law, ensuring that children with disabilities are not excluded from school, has largely been achieved. Today, families can have a positive vision for their child's future.

While schools have made great progress, significant challenges remain. Now that children with disabilities are receiving services, the critical issue is to place greater emphasis on attaining better results. To that end, we look forward to working in partnership with the South Central Prairie Special Education Unit to continue to improve the lives of individuals with disabilities.

Sincerely,

Robert C. Rutten
Director of Special Education

Cc: Kathy Schauer

Enclosure

EXECUTIVE SUMMARY

SOUTH CENTRAL PRAIRIE SPECIAL EDUCATION UNIT

The attached report contains results of the Collaborative Review and Verification Review phases of the North Dakota Continuous Improvement Monitoring of the Individuals with Disabilities Education Act (IDEA), Part B, implemented in the South Central Prairie Special Education Unit during the 2001 – 2002 school year. The process is designed to focus resources on improving results for children with disabilities and their families through enhanced partnerships between the North Dakota Department of Public Instruction (NDDPI), the South Central Prairie Special Education Unit, parents, and stakeholders.

Monitoring Activities

Several means were used in the monitoring process to gather data, review procedures, and determine the extent to which the South Central Prairie Special Education Unit is in compliance with federal and state regulations. The Collaborative Review phase of the monitoring process included the completion of a *Self-Assessment* by a steering committee comprised of administrators, general education personnel, parents, and special education personnel. Special education teachers assisted the steering committee by providing additional input and consultation through the file review activities. Data for the collaborative review process was compiled from a variety of sources. School district and special education unit policies and procedures were reviewed, student IEPs were reviewed, stakeholder groups were surveyed, and consultation was completed with other agencies providing services to students with disabilities. The self-assessment process included a synthesis of the quantitative and qualitative data collected to address the six principles of IDEA and resulted in the completion of a unit *Improvement Plan*.

The Steering Committee that facilitated the Collaborative Review Process completed six self-assessment activities:

1. Parents were surveyed using forms recommended by NDDPI. A total of 59 parent surveys were returned, representing the parents of 35% of the children served through the South Central Prairie Special Education Unit. Parent telephone surveys were conducted with a total of 41 additional parents, resulting in a total parent participation rate of 59%.
2. A total of 161 students, representing 95% of all students enrolled in the cooperating school districts special education programs, were surveyed using the NDDPI Student Survey form.
3. A total of 108 general and special education teachers and 23 school administrators completed written surveys measuring satisfaction with the South Central Prairie Special Education Unit and perceived competence in meeting the special education needs of the students served in the school districts..
4. The South Central Prairie Special Education Unit requested that training be provided by the NDDPI on completing student file reviews. Keith Gustafson, Monitoring Consultant, and Marilyn Brucker, Regional Special Education Coordinator, provided a one-day training session on February 19, 2002. Training was provided on file reviews for determining compliance with the NDDPI requirements for IEP development, student evaluations, and procedural safeguards. Each teacher participating in the training was required to review one file and submit it to NDDPI personnel for a reliability check. The NDDPI personnel scored each submission for an independent assessment of compliance.

The results were then compared for reliability. Out of a total of 10 teachers who submitted a file for review, the reliability quotients ranged from 89% to 99%, with an average reliability quotient of 94%. A total sample of 22 special education student files were reviewed for compliance with the IDEA regulations for assessment, procedural safeguards/due process, and IEP development, utilizing the form provided in the NDDPI document *Special Education Monitoring Manual: Collaborative Review Process*.

5. Valerie Fischer, Regional Special Education Coordinator for the NDDPI provided training to the personnel of the South Central Prairie Special Education Unit on March 19, 2002. The training addressed the legal requirements for the design of individualized transition components for students aged 14 and older. The special education teachers then reviewed the files of all special education students ages 14 to 21 to specifically determine compliance with federal and state requirements related to transition issues. A total of 75 files were reviewed using the *DPI Transition Checklist*.
6. Compliance worksheets were prepared in each of the topical areas including IEP, Procedural safeguards, Assessment Planning, and Transition. The results were analyzed and recommendations generated for consideration in the design of an Improvement Plan. Programmatic issues were also analyzed and addressed in the South Central Prairie Special Education Unit Self-Assessment Report to ensure that comprehensive and accurate information was used to identify issues necessary for the design of the unit improvement plan.

The Verification Review was conducted by NDDPI personnel on March 4-6, 2003 and included a review of the data collected by the Self-Assessment Steering Committee, interviews with school administrators, general education teachers, special education teachers, related service providers, and paraeducators. Focused special education file reviews were conducted on the special education records of 4 students following the compliance issues reported by the Special Education Unit Steering Committee in their self-assessment report. The *1996 South Central Prairie Special Education Unit P.L. 101-476 Compliance Monitoring Report and Three-Year Plan Review* was reviewed for comparison purposes with the current verification review. The *South Central Prairie Special Education Unit Policies and Procedures Manual* was reviewed to ensure that the revisions contained within the *1997 Reauthorization of the IDEA* were addressed in unit policy. Information obtained from these data sources was shared with Kathy Schauer, Director, and other Steering Committee members in an exit meeting conducted on Thursday, March 6, 2003.

The NDDPI staff members express their appreciation to the administrators, special education and general education teachers, students and parents, and other agency personnel in the South Central Prairie Special Education Unit who participated in the monitoring activities. A special thank you is extended to the office support staff of the South Central Prairie Special Education Unit Office in Napoleon for the wonderful cooperation. The efforts of Kathy Schauer and all staff members represent a commitment of time and energy without which the multipurpose task of monitoring could not be completed.

This report contains a description of the process utilized to collect data and to determine strengths, areas of noncompliance with the IDEA, and suggestions for improvements for fully realizing the six basic principles of the Individuals with Disabilities Education Act.

Education of Children and Youth with Disabilities
Part B of IDEA

Strengths

The North Dakota Department of Public Instruction (NDDPI) verified several strengths identified by the South Central Prairie Special Education Unit Self-Assessment Committee. Other strengths were observed by the NDDPI Monitoring Team during the Verification Review site visit.

- The South Central Prairie Special Education Unit has made remarkable progress in the past five years. A comparison of the current monitoring results with those obtained as a result of the *1996 South Central Prairie Special Education Unit PL 101-476 Compliance Monitoring Report* demonstrate very significant changes in adherence to policy and procedures. The extent of the change is illustrated with the adoption of a mission statement that reflects the organizations beliefs in the value to be derived from providing appropriate services under the IDEA. Noticeable changes in practice were observed in each of the following areas:
 - Early Childhood Special Education
 - Provision of services to students with disabilities in the least restrictive learning environment.
 - Providing extended school year.
 - Timely provision of services to transfer students on existing IEPs.
 - Transition planning for school to post-school settings.
 - Valuing parent participation and involvement.
- Special education teachers, parents, administrators, and general education teachers consider the support provided by Kathy Schauer, Director of Special Education, as a significant strength.
- The quality and professional training of the special education teachers, general education administrators, and other staff members employed in the schools were observed to be strengths. The special education teachers were observed by the NDDPI Monitoring Team to be very experienced, committed, and demonstrated a high degree of devotion to enhancing outcomes for students with disabilities. These patterns were observed across all school districts.
- School districts participating in the South Central Prairie Special Education Unit utilize building level support team processes and other collaborative teaming processes between general education and special education. The team processes are well established, well documented, and appear to serve the intended purposes in a very meaningful and valid manner. All school districts visited during the NDDPI site visit evidenced unified educational programs where the special education services are well embedded into the fabric of the general education programs.
- There was a high degree of compliance with documentation of the procedural safeguards of the IDEA.
- Providing meaningful transitions from grade-to-grade within each school building was observed to be a significant asset to the students, general education teachers, and parents.
- The documentation of the deliberations of the Individualized Education Program (IEP) planning teams is very strong in several areas. The behavioral objectives in the IEPs were well written.

- The South Central Prairie Special Education Unit is beginning to develop very appropriate intervention programs for young children with disabilities, ages 3-5, using service delivery models well suited to rural areas.
- The South Central Prairie Special Education Unit has developed excellent collaboration with other agencies providing services to families in the communities served. The interagency collaboration was viewed as exemplary including the collaboration and planning with the Public Health Programs to provide nursing services in all of the rural school districts. Other agencies participating in collaborative endeavors include Developmental Disabilities, Job Service, and Protection and Advocacy.

Areas of Noncompliance

NDDPI observed the following areas of noncompliance:

- Integrated Written Assessment Reports (IWARs) did not contain sufficient documentation that the disability was not due to lack of instruction in reading or math.
- The Present Level of Educational Performance (PLEP) in IEPs did not contain adequate documentation of how the disability affects the child's involvement and progress in the general education curriculum.
- The PLEP section in IEPs for transition aged students did not address information relevant to related services.
- Documentation of nonacademic and extracurricular activities discussed and selected by IEP teams was not found.
- Annual goals do not have a desired ending level resulting in a lack of measurability of being accomplished in one year.
- When appropriate, justification for removal of the child from general education setting was missing from IEPs.

SOUTH CENTRAL PRAIRIE SPECIAL EDUCATION UNIT MONITORING REPORT
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INTRODUCTION

Background, Administrative Structures, and Children Served: The South Central Prairie Special Education Unit is a special education unit located in the south-central part of the state. The Unit serves the counties of Kidder, Logan, and McIntosh. Communities served consist of Ashley, Gackle/Streeter, Napoleon, Pettibone, Robinson, Steele, Tappen, Tuttle, Wishek, and Zeeland. Special education students make up 11.87% of the unit's total student population as of December 2001. The total ADM population for the ten school districts was 1,432 and the total special education population was 170 on December 1, 2001.

The South Central Prairie Special Education Unit has a professional staff of 12 professionals supervised by the Director and an administrative assistant. Paraprofessionals are employed by the school districts to assist the special education teachers. The staff consists of three speech and language therapists and nine special education teachers trained in the areas of Specific Learning Disabilities, Mental Retardation, and Emotionally Disturbed. Several of these nine teachers hold credentials in two areas of disabilities and one teacher holds credentials in all three areas. The South Central Prairie Special Education Unit also employs contract personnel to provide Occupational Therapy, School Psychology, Physical Therapy, and Early Childhood Special Education services.

Verification Review and Data Collection: The South Central Prairie Special Education Unit began the Collaborative Review process on October 2, 2001 by attending the State-wide training session held in Bismarck, ND. The Self-Assessment Report was submitted to NDDPI in December of 2002. The Self-Assessment Report included the data and analysis of student record reviews, survey information, and program performance indicators.

The North Dakota Department of Public Instruction (NDDPI) conducted a Verification Review Site visit to the South Central Prairie Special Education Unit on March 4-6, 2003. The NDDPI conducted the site review to validate the South Central Prairie Special Education Unit's Self-Assessment. On March 4, 2003, NDDPI staff members met with Kathy Schauer, Director of the South Central Prairie Special Education Unit, and the Self-Assessment Steering Committee to review and discuss the Self-Assessment Report. NDDPI visited the majority of the public school buildings served by the South Central Prairie Special Education Unit. Student record reviews of the files for 4 students were completed in the central office. The student file reviews consisted of a review of the Individualized Education Programs (IEPs), Integrated Written Assessment Reports (IWARs), and procedural safeguards documentation. A total of 25 interviews were conducted including ten with special education staff, eight with general education staff members who teach children with disabilities in their classrooms, and seven with administrators. Preliminary results and findings of the Verification Review Visit were presented to the Self-Assessment Steering Committee in a summary meeting at the end of the site visit, on March 6, 2003.

Improvement Planning: In response to this report, the South Central Prairie Special Education Unit will develop an action plan including specific *Improvement Strategies* addressing areas identified as noncompliant, within 60 days of receipt of this report. The NDDPI Special Education Regional Coordinator assigned to the South Central Prairie Special Education Unit

will serve as a resource for improvement planning purposes, and will respond in writing to indicate approval of Improvement Strategies submitted by the Unit. If needed, the regional coordinator may be contacted for suggested formats to be used for the development and documentation of the Improvement Strategies.

It should be noted that, as a general rule, noncompliance would be cited when a violation is found in 15 percent or more of the student files or other data reviewed. However, some violations are considered so serious as to be cited if even one incident is noted. Violations of this nature include, for example; not conducting an assessment before placement, lack of evidence of parent consent, or other critical information that must be maintained in a student's file.

Suggestions for improved results for children do not require a formal response. However, the NDDPI encourages the South Central Prairie Special Education Unit to consider the suggestions for further study and improvement planning as a means of strengthening the system of services to children with disabilities.

Preliminary recommendations for improvement planning were submitted to the NDDPI as a part of the Self-Assessment process. The South Central Prairie Special Education Unit director is encouraged to continue refinement of improvement planning strategies and action steps as a logical next step in the Continuous Improvement Monitoring Process.

Report Organization

The remainder of this report presents information in each of six areas, which reflect the six principles of the Individuals with Disabilities Education Act (IDEA). They are zero reject, nondiscriminatory evaluation, free appropriate public education, least restrictive environment, parent involvement, and procedural safeguards. Each section describes strengths and concerns identified in the South Central Prairie Special Education Unit Self-Assessment Report, areas of strength identified by the NDDPI Verification Review team through interviews and student files reviews, and other sources; areas of noncompliance; and suggestions for improved results for children.

I. ZERO REJECT

All children with disabilities must be provided with a free appropriate public education (FAPE). All children with disabilities, and who are in need of special education and related services, must be identified, located, and evaluated.

The South Central Prairie Special Education Unit provides free appropriate public education to all children with disabilities between the ages of 3 and 21. The unit has proactive programs in place to locate and identify students with disabilities, to provide appropriate services and transitions for those students, and to keep students with disabilities in school until they exit through graduation.

Child Find activities are reported in the South Central Prairie Special Education Unit Self-Assessment Report and include a public awareness campaign that is carried out to generate increased community awareness of special education programs, parent and students rights, and the need for the early identification and services to children with disabilities. Activities carried out within the South Central Prairie Special Education Unit include: (1) preschool selective screening; (2) in-school screening procedures; (3) procedures for addressing potential school dropouts; (4) ongoing inservice training to school personnel, parents, agency representatives, and organizations regarding Child Find activities; (5) coordination and cooperation with other agencies; and (6) transition planning with personnel from the Infant Development Programs in Jamestown and Bismarck.

The South Central Prairie Special Education Unit has established interagency collaborative planning processes with the Public Health Programs in the counties served by the special education unit to facilitate Child Find outcomes. The Public Health Nurses are provided offices in each of the schools and have regularly scheduled office hours. Access to space in the school buildings greatly enhances collaborative provision of vision, hearing, and health screening outcomes. Similar arrangements with Head Start were observed in some of the school districts served by the unit.

Several of the school districts comprising the South Central Prairie Special Education Unit have developed very creative approaches to addressing the early literacy needs of young children in the school districts. The Ashley school district has expanded the Title I Program to include a pre-kindergarten group of students who are served through a preschool program in the school building. Other school districts, such as Zeeland, are using the school to sponsor “story hours” and other pre-literacy activities for preschool students.

Planning for the transition from school to post-school environments begins at age 14 and includes the provision of specialized activities and services. The personnel from the South Central Prairie Special Education Unit collaborate with two different regional programs for adult services including the Region VI services out of Jamestown and the Region VII services out of Bismarck. The South Central Prairie Special Education Unit strives to identify and support students who are at-risk for dropping out. Referrals are made to the Building Administrators to review the student’s needs. If the school district personnel suspect a disability, a referral is made for an evaluation.

The South Central Prairie Special Education Unit adheres to state and federal guidelines with respect to suspension and expulsion. The policy and procedures governing suspension and expulsion are found in the unit's policy handbook. There were no students with disabilities suspended for more than 10 days or expelled in the 2001-2002 academic year or thus far in the 2002-2003 academic year.

The South Central Prairie Special Education Unit employs one certified ED Specialist and contracts with a school psychologist who has training in designing and implementing behavioral interventions. School Counselors are also utilized to help support students with emotional adjustment difficulties. The school psychologist, school counselors, and special education personnel are involved in assisting in the development of behavioral intervention plans for students with disabilities whose behavior impedes their learning or that of others. When appropriate, personnel currently providing services to the students outside the school environment are also included. Assessment procedures such as observation, functional behavior assessment procedures, and consultation are used to help develop and monitor behavioral intervention plans.

An analysis of the percentages of students served under each disability category indicated that the South Central Prairie Special Education Unit is consistent with the state and national averages across disability categories. The school districts encompassing the South Central Prairie Special Education Unit served a total of 1,432 students during the 2001-2002 academic year. The total number of students with disabilities in the special education unit on December 1, 2001, was 170. Approximately 11.87% of the student population in the unit are comprised of students with identified disabilities. The analysis of students across disabilities indicated the following incidences:

<u>Disability Category</u>	<u>Percent of Child Count</u>
Emotional Disturbance	1.2%
Mental Retardation	9.4%
Other Health Impairment	2.4%
Speech and Language Impaired	35.3%
Specific Learning Disability	51.2%
Hearing Impaired	.5%

The South Central Prairie Special Education Unit has a building level support team (BLST) in each school building that is functional and addresses the needs of at-risk students that are struggling with mastering the curricular content in the respective grades and classes. The BLST process and forms are consistently implemented across all school districts with adequate documentation maintained in the student files.

The NDDPI reviewed the files of 13 students on IEPs served through the South Central Prairie Special Education Unit. Four (4) files were reviewed during the Verification Review visit and nine (9) files were reviewed during the reliability study with the special education teachers. All files reviewed contained documentation that prior interventions had been implemented with students in the general education setting prior to a referral for an evaluation. In every case where

additional needs were evident that could not be met through the general education curriculum, an evaluation had been completed prior to initial placement in special education. Parent involvement was documented in 100% of the files reviewed. The majority of student files in each school building documented extensive involvement of building level support teams in trying to support the students prior to, or concurrent with, referral for special education. All components of Zero-Reject were found to be in substantial compliance including evidence regarding BLST, evidence of parent involvement, and identification in a timely manner.

The South Central Prairie Special Education Unit Self-assessment report contained survey data from administrators, teachers, students, and parents that addressed the parameters of the Zero-Reject priority. When parents were asked “if other options within general education were tried or considered prior to a referral to special education,” 87% of the parents agreed that they were aware of the options tried. Interviews conducted with general education and special education staff and administrators indicated that the BLST process is used consistently in the schools. The formality of the team process was reported to vary from structured teams that meet regularly to informal teams that are created to address specific issues that arise. In all cases, however, the necessary outcome, documentation of the prior interventions that are created and implemented, was reported adequately.

The NDDPI reviewed and analyzed the data and identified the following strength:

STRENGTH

Utilization and documentation of prior interventions is a significant strength for the school districts participating in the South Central Prairie Special Education Unit. Each school building utilizes a building level support team process and other collaborative teaming processes between general education and special education. The team processes are well established, well documented, and appear to serve the intended purposes in a very meaningful and valid manner.

II. NONDISCRIMINATORY EVALUATION

Any child with a suspected disability must receive a full, individualized evaluation, which meets specific standards, and includes information from a variety of sources.

The South Central Prairie Special Education Unit requires assessment to be completed in a non-discriminatory manner. The assessment process includes the areas of planning with parents and teachers, conducting the evaluation, and determining appropriate services after a student is found to be eligible for special education under IDEA. Assessment is conducted in consideration of environmental, social, cultural, economic, and sensory factors in order not to be racially or culturally discriminatory. Policies and procedures relative to the Nondiscriminatory Evaluation process are contained in the *South Central Prairie Special Education Unit Policies and Procedures Manual*. The changes in the reevaluation process outlined in the 1997 Reauthorization of the IDEA are included in the guidebook.

The South Central Prairie Special Education Unit has developed a standardized form that is used by all of the special education teachers to document the evaluation process. The sections contained on the form consist of student information, parent information, team members, meeting minutes, and a summary of findings and present levels of performance. The form provides documentation of the disability determination, assurances that the disability is not attributable to the exclusionary criteria, and documents the agreement of all team members through signatures. Parents are notified when an assessment has been completed, and a meeting is scheduled to write the Integrated Written Assessment Report (IWAR).

The South Central Prairie Special Education Unit's File Review Team reviewed the files of 22 students and identified several areas with a compliance level of 85% or higher. These areas included:

- One hundred percent (100%) of files documented that evaluation was completed prior to placement.
- One hundred percent (100%) of files documented a current individual assessment including seven initial evaluations and 15 reevaluations.
- Ninety-five percent (95%) contained a consent for evaluation.
- Eight-eight percent (88%) contained documentation that reevaluations were conducted every three years.
- One hundred percent (100%) of files documented that the student was assessed in all areas of suspected disability.

Components of the evaluation process that were found to be less than 85% compliant consisted of:

- Five percent (5%) contained documentation of parent participation.
- Thirty-six percent (36%) contained a parent prior notice form.

Students classified as learning disabled have added evaluation requirements that need to be addressed in the Integrated Written Assessment Report. Compliance for these items was found to be 100% for all items with the exception of one. Addressing educationally relevant medical findings was found to be in compliance in eight out of nine files, indicating 89% compliance. Additional assessment requirements for SLD found to be in full (100%) compliance consisted of:

- Prior to referral for initial assessment, instruction was provided appropriate to age and ability level,
- Identified as learning disabled in one of seven areas,
- Basis for determination of learning disabilities,
- Observation in classroom,
- Relationship between observation and academic functioning,
- Discrepancy between ability and achievement,
- Discrepancy not attributable to other causes, and
- Addresses effects of disadvantage.

The percentage of students with disabilities in the special education unit who participate in statewide assessments is consistent with the statewide averages.

The NDDPI reviewed the assessment files of four (4) students served through the South Central Prairie Special Education Unit. Two of the student files were for students identified as having a specific learning disability (SLD). The NDDPI Monitoring Team verified many of the strengths identified in the South Central Prairie Special Education Unit Self-Assessment Report, including each of the following standards that were found to be in 100% compliance.

- Evaluation completed prior to initial placement.
- Most current evaluation found in file.
- Evaluation used an assessment planning process.
- Test instruments administered by trained personnel.
- Multidisciplinary team included a parent, general education teacher, and a special education teacher.
- Multidisciplinary team included an individual who can interpret the instructional implications of the evaluation results.
- Multidisciplinary team included other individuals who have knowledge and special expertise regarding the child.

For SLD evaluations, two files reviewed were in compliance for the following standards:

- The multidisciplinary team included a diagnostician qualified to conduct individual diagnostic evaluations.
- Evidence of BLST procedures prior to evaluation.
- Observation conducted in general education classroom by other than the general education teacher.
- Identified as SLD in one of seven areas because of a severe discrepancy between achievement and intellectual ability.
- Discrepancy not attributable to any other cause.
- Statement that the team found that the discrepancy was not due to vision, hearing, motor disability, mental retardation, emotional disturbance, or environmental, cultural, or economic disadvantage.
- Documentation of educationally relevant medical findings.
- Signature of each team member indicating approval.

NDDPI reviewed and analyzed the data from the unit's self-assessment file review, and the NDDPI file review, and identified the following strengths, areas of noncompliance and suggestions for improvement.

STRENGTH

The South Central Prairie Special Education Unit is consistently using a multidisciplinary team assessment process that includes the parents. The team convenes and discusses the assessment needs of the student. The evaluation is conducted and a second team meeting is held to discuss the results of the evaluation. The form developed by the South Central Prairie Special Education Unit contains all of the essential components referenced in the IDEA. The staff members are consistently using the South Central Prairie Special Education Unit form, resulting in unit-wide compliance with a substantial majority of the standards. The process is being used for initial evaluations and three-year reevaluations. The South Central Prairie Special Education Unit is also commended for the excellent consistency with which the additional provisions for students with specific learning disabilities are being implemented.

AREAS OF NONCOMPLIANCE

34 CFR 300.534(b) A child may not be determined to be a child with a disability: (1) if the determinant factor for that determination is (i) lack of instruction in reading or math;

During file reviews conducted as part of the South Central Prairie Special Education Unit Verification Review, the NDDPI Monitors reviewed the files of four (4) students for whom an assessment for determination of eligibility had been conducted. The reviews were designed to determine if the files included documentation that prior to initial referral, instruction was provided appropriate to age and ability level in the areas of math and reading instruction and limited English proficiency. This included evidence that the building level support team documented prior interventions. Files monitored by the NDDPI monitors indicated that although building level support team activities were documented in 100% of the cases, documentation that the disability was not due to lack of instruction in reading or math was not included in any of the four files.

SUGGESTIONS FOR IMPROVED RESULTS FOR CHILDREN

Revisions to Forms

The South Central Prairie Special Education Unit is strongly encouraged to expand the current form being used to document the results of the student evaluations to include an *Integrated Written Assessment Report* (IWAR). Although the components of an IWAR are included in checklist form on the unit's summary form, including an IWAR that is written in paragraph form would serve several additional purposes. An IWAR that "paints" a picture of the child's learning style and communicates "how" the disability impacts the child's access to the general education curriculum would provide continuity from the assessment findings to the IEP planning process. Summarizing the deliberations of the team in paragraph form would meet the requirements of IDEA ensuring that it is written in a manner understandable to parents, and integrates findings from all sources.

Additional recommendations for revisions to the forms were included in the South Central Prairie Special Education Unit Self-Assessment Report. These recommendations included adopting the states student demographic and student profile forms and adding components to the Assessment Summary Report including Adaptive Behavior, Transition Needs, and the previously mentioned Integrated Written Assessment Summary. The NDDPI Monitoring Team strongly encourages adoption of these recommendations.

A signature on the assessment form verifies parent attendance at the assessment planning meetings and the meetings to discuss the assessment results. Parents were in attendance at 100% of the assessment meetings reviewed by the NDDPI monitors. However, parent participation and input into the deliberations of the meeting were not documented on the assessment forms or minutes of the meetings. Staff training on documentation of parent contributions has occurred and significant improvement seen in documentation that has occurred since the training.

The NDDPI Monitoring Team questioned the extent to which teachers and administrators understand the changes in the 1997 Reauthorization of IDEA, relevant to the reevaluation process. The South Central Prairie Special Education Unit appears to be utilizing a standardized assessment process centered around a school psychologist. Little variation was observed between “initial” evaluations and “reevaluations”. Although the 1997 amendments allow for school districts to forego repetitious evaluations, in those cases where the team members have no specific questions about continuing eligibility and programming needs, these provisions were not observed to be used by the South Central Prairie Special Education Unit personnel.

The South Central Prairie Special Education Unit Self-Assessment Report identified a need to provide training to the special education teachers, parents, and administrators on assessment consideration for English as a Second Language (ESL) students. The recommendation was for “better preparation, support, and professional development related to the needs of serving their children”. Although the NDDPI Monitoring Team observed no evidence of noncompliance with this regulation, the Team endorses the recommendation as a proactive approach to circumventing potential difficulties in the future.

III. FREE APPROPRIATE PUBLIC EDUCATION

CFR 300.344 An IEP team, which includes the child's teacher, the child's parent(s), an administrator, and a special education teacher, must develop an educational program tailored to meet the child's unique needs.

The South Central Prairie Special Education Unit's Self-Assessment Report identified several areas of compliance in regard to FAPE. Regulations found to be at 100% compliance included listing a primary disability, having parents in attendance at IEP meetings, including present levels of educational performance, and including adaptations of educational services. Additional components found to be in 100% compliance consisted of addressing the type of physical education, participation in academic and nonacademic activities and listing the special education and related services to be received by the students. Parent prior notices were provided in 21 out of 22 cases, resulting in 95% compliance. All required team members were present in 20 out of 22 cases, or 91% compliance.

All students with disabilities have ongoing access to general education curriculum. A full continuum of program options is available including student participation in portions of traditional classroom instruction, participation in elective classes and/or participation in specific projects being carried out in classrooms.

When surveyed, 88% of parents agreed or strongly agreed with the statement, "The teachers set challenging goals and have high expectations for my child." Educators responding to a survey item, "Students with disabilities in special classes are provided with similar content area curriculum as that taught to students without disabilities of the same age and grade," indicated 97% agreement. In addition, 92% of staff surveyed agreed that "I have high expectations for students with disabilities." Administrators reported that students with disabilities are provided with similar content area curriculum as non-disabled students of the same age/grade on 100% of the surveys. The administrators also reported that "I have high expectations for students with disabilities and expect them to achieve commensurate with their general education peers" on 100% of the surveys. Students responded favorably in 94% of the cases to the survey question "I feel that my teachers give me challenging work to do, and have high expectations for me."

Parents participated in telephone interviews to examine areas of parental rights that they felt knowledgeable about. When asked if "I feel that the special education system is meeting the needs of children with disabilities," 35 out of 41 parents (85%) responded with always or usually. An additional 5 parents responded with sometimes, resulting in 97% criteria for the three affirmative indicators.

Students with disabilities are reported to have equal access to, and opportunities to participate in, extracurricular activities to the extent appropriate. Ninety-six percent of parents and 100% of staff indicated that the opportunity to participate in all school activities is available to students with disabilities. Ninety-six percent of the parents surveyed either agreed, or stated the item was inapplicable, for "My child has the adaptive equipment needed to participate in his/her educational program." Ninety-eight percent of all students surveyed reported that they are

satisfied with the education services they are receiving. Ninety percent of all parents expressed satisfaction with the special education program and services provided to their child.

A structured review of all transition files in the unit indicated compliance rates of 85% or higher in several areas of transition planning. The Present Level of Educational Performance included descriptions of needs in five out of six domains in 91% of the files. The areas that were adequately addressed included jobs and job training, recreation and leisure, community participation, independent living and post secondary. Post-school outcomes were included in 100% of the files and a statement of transition service needs in 98% of the files. The Statement of Needed Transition Services section, for students ages 16-21, was included in 97% of the files. Agency coordination and responsibilities for students, ages 16-21, was included in 95% of the IEPs reviewed by the South Central Prairie Special Education Unit's Self-Assessment team.

Several questions on the student survey related to transition topics. Ninety-one percent of students 14 years of age or older reported they were asked to participate in the development of their IEP. Ninety-eight percent of the students age 14 years or older reported that a transition plan had been developed to help them move from high school to post-school settings. One hundred percent of the students who are 17 years of age or older reported that they had been informed of their rights regarding educational services.

The NDDPI reviewed the Individualized Educational Programs (IEP) for four students with disabilities. Two of the files represented students of transition age, ages 14 years to 21 years. A current IEP was found in the file for each of the four student files reviewed, indicating 100% compliance. All four files contained documentation that for the initial IEP the meeting was held within 30 days of eligibility determination. Of the three students who had been receiving special education services for more than one year, 100% of the IEPs had been reviewed annually. The NDDPI Verification Review Team verified the areas identified by the South Central Prairie Special Education Unit Self-assessment Team and identified several additional areas of strength. Each of the following standards were verified at 85% or higher on the South Central Prairie data and were found to be at 100% compliance for the files reviewed by the NDDPI Monitoring Team.

- The IEP team includes all necessary participants including an administrator, a general education teacher, the parent(s), and the special education teacher.
- In the one IEP for an initial placement, the evaluator was present.
- Students with disabilities over age 14 were in attendance at the IEP meeting.
- The Present Level of Educational Performance (PLEP) reflects significant strengths and deficits.
- The PLEP gives a clear picture of present level of functioning in all developmental areas.
- The PLEP is understandable by parents and general education teachers.
- Annual goals contain a behavior or skill.
- Annual goals have basis in PLEP.
- Goals are individualized.
- Objectives contain all required components.
- Characteristics of Services state where each objective will be carried out, who will carry out each goal/objective, who will monitor progress for each goal/objective, and states modifications needed.
- Parents are informed of student progress as often as the general education progress is reported.
- Each goal/objective is addressed in progress report.

- Assistive Technology devices and services are addressed.
- IEP addresses the student's participation in statewide and district assessments.
- Behavioral Interventions are addressed.
- Addresses type of physical education.
- Projected dates for beginning services, anticipated frequency of services, location of services, and duration of services are included.
- Extended School Year (ESY) service sections contain sufficient documentation of justification.

Ten special education teachers who were interviewed adequately described the IEP planning process including the use of a multidisciplinary team. All ten teachers were able to describe how annual goals and objectives are developed for each child on an individualized bases and describe how and when assistive technology needs are met for all students.

NDDPI monitors reviewed and analyzed the data and identified the following areas of strengths, noncompliance and suggestions for improvement.

STRENGTHS

The documentation of the deliberations of the Individualized Education Program (IEP) planning teams is very strong in several areas. The IEP form used by the South Central Prairie Special Education Unit appeared very conducive to maintaining required documentation. The behavioral objectives and the characteristics of service sections in the IEPs were well written.

The South Central Prairie Special Education Unit Self-Assessment Team is to be commended for the excellent job with which they implemented the North Dakota Collaborative Review Process. The Self-Assessment Report evidenced sincere attempts to identify issues and develop strategies to alleviate weak areas. Several of the strategies listed under the Program Improvement Priority area will have a significant impact on enhancing the quality of services to students with disabilities.

Several strengths were identified in the area of documentation of transition planning for students ages 14-21. The transition planning process was observed to be very strong. Students were in attendance at their transition IEP meetings, or their preferences and interests were considered and documented, in 100% of the cases. The Present Level of Education Performance contained excellent descriptions of performance in five of the six domain areas. One domain area, related services, was not included on the unit form and was consequently not addressed in the IEPs reviewed. The Transition forms developed by the unit were rated by the NDDPI monitors as being very conducive to the identification of all needed transition components. The transition plans included a complete course of study through 12th grade, addressed credits needed for graduation, and the course work was designed to lead to the preparation of the Post-School Outcomes in 100% of the transition IEPs reviewed. The Statement of Needed Transition Services included all components including needs for the student while in high school in the areas of instruction, community experiences, employment, related services, adult living and post school, daily living skills, and functional vocational assessments. The activities were presented as a coordinated set of needs that promote movement from High School to the student's desired goal. The Transition plans documented the role of other agencies and contained the Agency Section

that identified all parties necessary in and after High School to accomplish the Post School Outcomes.

AREAS OF NONCOMPLIANCE

Present Level of Educational Performance

34 CFR 300.347(1) requires that the Present Level of Educational Performance address all areas of functioning. 34CFR 300.347 (a) (1) (i) requires that the IEP for each child with a disability must include a statement of the child's PLEP, including how the child's disability affects the child's involvement and progress in the general curriculum.

The NDDPI Monitoring Team reviewed four IEPs during the Verification Review visit and nine IEPs during the reliability study. Only one IEP reviewed contained an adequate description of how the disability affects the child's involvement and progress in the general education curriculum.

Contents of IEP

34 CFR 300.347 The Present Level of Educational Performance, for students aged 14 and above, must contain current information relevant to present level of performance in the areas of jobs/job training, recreation and leisure, community participation, independent living, post secondary, and related services. Although the first five items in this listing were contained in 91% of the IEPs reviewed, related services was contained in only 19 out of 69 IEPs reviewed, resulting in 27% compliance. This item must be added to the transition form used by the South Central Prairie Special Education Unit.

Documentation of Nonacademic and Extracurricular activities

34 CFR 300.306. (a) Each public agency shall take steps to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities.

File review findings from the NDDPI Verification Review indicated that nonacademic and extracurricular activities were not documented appropriately in any of the four files reviewed. When students were asked if "they had received encouragement to be involved in extracurricular activities," only 76% agreed with this statement. Although the IEP form used by the South Central Prairie Special Education Unit contains a section entitled Nonacademic and Extracurricular Activities, there were no provisions for documenting or differentiating options considered and options selected. Inconsistencies were observed during the interviews with special education teachers about how nonacademic and extracurricular participation is discussed at the IEP meetings. Only a few teachers made reference to proactive attempts to get students involved in the nonacademic and extracurricular activities occurring in the school district. The other teachers made reference to this requirement being addressed as a part of the transition planning process only or simply listing the activities the student is currently involved in and not considering other options.

Annual Goals and Short-term Objectives

34 CFR 300.347 requires that goals be measurable and include short-term objectives intended to meet the child's educational needs resulting from the child's disability.

The NDDPI Verification Review Team verified compliance for goals that contained a behavior or skill, have a basis in the PLEP, and contained an intent or purpose. Only 1 out of 4 contained goals that included a desired ending level of achievement, resulting in 25% compliance. Only one out of four files, 25% compliance, contained goals that were rated by the monitors as being reasonably attainable within one year.

The NDDPI Verification Review Team also reviewed approximately 15 sets of objectives contained within the multiple goals for the four IEPs reviewed. Three out of four of the IEPs contained objectives that listed conditions or circumstances under which the behavior in the objectives was to be performed. This indicated only 75% compliance to this standard.

Characteristics of Services (COS)

34 CFR 300.347(a)(2) states that IEPs must include short-term objectives related to how the child will be involved in and progress in the general curriculum. The COS discussion considers where and how the services will be delivered.

Out of a total of four files reviewed by the NDDPI monitors, only two files contained justification for removal of the child from the general education setting. One instance of noncompliance with this regulation included a student who was removed from the general education classroom for alternative course work with no attempt to justify the removal in the Characteristics of Service section. The other instance included a student who was removed for two alternative courses that were taught in the resource room. The removal from the general education setting was not justified in the Characteristics of Service section and there were no goals or objectives included in the IEP to communicate the alternative outcomes expected of the student.

The Adaptations section was rated as complete and correlated with the PLEP (34 CFR 300.55-300.556) in only three out of four cases, indicating 75% compliance.

SUGGESTIONS FOR IMPROVED RESULTS FOR CHILDREN

The NDDPI Verification Review Team found that although the documentation of the ESY considerations for each student with a disability were included in the IEP, concerns were expressed during the interviews about the appropriateness of the knowledge that the teachers possessed about the parameters of this requirements. Special education teachers and administrators who were interviewed expressed inconsistent knowledge of the standard and the implementation of the practice in the South Central Prairie Special Education Unit. Misconceptions expressed included addressing only a single criteria (severe regression over the summer), having only Title I summer programs available for students, and making the decision based on a category of disability rather than addressing it individually for every student. It also appeared that the process for consideration of the need for Extended School Year (ESY) services was not being uniformly addressed across all school districts. Parents who were interviewed by

telephone responded with *yes* in only 57% of the interviews to the statement that “during the IEP meeting for my child, extended school year services were discussed”.

Although documentation of transition planning services for students with disabilities aged 14 and older, was generally a strength, areas of needed improvement were identified by the South Central Prairie Special Education Unit Self-Assessment Team and verified by the NDDPI Monitoring Team. The South Central Prairie Special Education Unit is strongly encouraged to pursue identified improvement strategies in each of the targeted areas including:

- Involvement from adult service provider agencies is needed to ensure successful transitions from school to post-school settings. In those cases where the LEA invites agency representatives and they do not come to the meetings, additional attempts must be made to solicit their involvement.
- It is essential that all appropriate outside agencies be considered in determining who to invite to the transition meetings. Although this is a requirement that is very difficult to monitor, the NDDPI Monitoring team questioned the limited range of agencies that were considered for invitation to the IEP meetings.
- It is important to remember to invite the student to their IEP meeting. The data from the South Central Valley Special Education Unit Self-Assessment report indicated that student prior notice was documented in only 54 out of 75 cases, indicating 72% compliance. Although cases were identified where students had not been listed on the prior notice but were actually in attendance, the percentage cited does not correlate with actual percentage of attendance.

The South Central Prairie Special Education Unit Self-Assessment Team identified a need to develop processes and procedures to adequately address the State Performance Goals and Indicators. The NDDPI Monitoring Team strongly endorses this recommendation. It is recommended that the South Central Prairie Special Education Unit continue the unit’s internal monitoring process in the area of *IEP review*. In addition to quantitative aspects of compliance monitoring, an emphasis should be placed on qualitative aspects of the development of IEPs. A sequential and systematic method, using a combination of orientation training, training in documenting the IEP and assessment processes, and peer mentoring, would serve as a proactive approach to preventing compliance issues.

IV. LEAST RESTRICTIVE ENVIRONMENT

To the maximum extent appropriate, children with disabilities must be educated with their non-disabled peers. Placement decisions must be based on the goals and objectives in the child's IEP.

The South Central Prairie Special Education Unit abides by the federal rules and regulations regarding placement of students with disabilities in general education settings with nondisabled peers to the maximum extent possible. Individual student placement options are discussed and determined by the student's IEP team. File review data from the South Central Prairie Special Education Unit's Self-Assessment Team indicated that of 22 files reviewed, all files were found to contain adequate justification of LRE including participation in general education.

All students with disabilities, including those in separate class placement, have ongoing access to the general education curriculum. During the 2001-2002 academic year, 111 out of 170 students (65.3%) were educated in the general education setting. Forty-eight students (28.2 %) were educated in a resource room for one or two periods daily with the majority of their time spent in the general education setting. Only four students (2.4%) were being educated in separate class settings.

The South Central Prairie Special Education Unit Self-Evaluation Survey included questions for administrators, professional and paraprofessional staff, parents, and students to respond to items that addressed the issues and philosophy of least restrictive environment. When administrators were asked if "Students with disabilities are provided with similar content area curriculum as non-disabled students of the same age/grade," 100% of responses were rated as "Agree". When asked if "I have high expectations for students with disabilities and expect them to achieve commensurate with the general education peers," 100% of the administrators responded with "Agree". Ninety-six percent (96%) of the parents completing the survey indicated that their child "was being taught similar grade level curriculum as that being taught to students who do not have disabilities of the same age and grade". Although the parent survey did not specifically address parent satisfaction with the extent of time their child is included in the general education setting, other indexes of parent satisfaction were used to generalize their perceptions of LRE. The parents reported being satisfied with the education program provided to their child (90%), parents understand and participate in the IEP process (96%), and parents think the "teachers set challenging goals and have high expectations for my child (88%).

The NDDPI reviewed the Individualized Educational Programs (IEP) of 13 students served through the South Central Prairie Special Education Unit to examine the adequacy of the documentation of the planning process for deriving at the LRE for each student placed in special education. Additionally, 25 interviews were conducted with teachers and administrators to verify the use of a team decision making process in determining the LRE for each child. The review of 13 student files indicated adequate justification of LRE.

Twenty-five educators and administrators were interviewed during the NDDPI Verification Review. When asked to describe the LRE planning processes, all respondents reported a process that used a team approach to consider the least restrictive learning environment in which the

outcomes selected for the child could be adequately addressed. There were no concerns expressed by either the educators or the administrators about the willingness of the general education teachers to work with students with disabilities, make modifications, and adapt the general education curriculum to meet the needs of all students. The teachers responding to the survey item “general education staff modify and adapt general education curriculum to meet the needs of students with disabilities in their classes” indicated agreement in 96% of the cases.

Parents were interviewed by telephone to identify areas in which they felt knowledgeable about their rights under the IDEA. When asked if “I understand the special education placement options available to me to assure my child is placed in the least restrictive environment possible,” 36 out of 41 parents (88%) responded that they always understood. During the same interview parents were asked to respond to the statement “During the IEP meeting, was the Least Restrictive Environment discussed?” Thirty-nine out of forty parents (97%) who attended the meetings responded “yes”.

NDDPI reviewed and analyzed the data and identified the following strengths and suggestions for improvement.

STRENGTHS

The South Central Prairie Special Education Unit has made significant progress in addressing the educational needs of students with disabilities in less restrictive learning environments. Students with varying ability levels were observed in a constellation of settings across all school buildings. All students are served in their home school district unless opened enrolled by parent choice.

The documentation of the LRE planning process was excellent across all IEPs reviewed. Evidence that the child was educated with children who are not disabled and the level of participation in the general education curriculum were consistently included in all IEPs. When parents were asked if their child “is regularly involved with students without disabilities in school activities, 96% agreed with this statement.

SUGGESTIONS FOR IMPROVED RESULTS FOR CHILDREN

The staff members employed in the school districts served by the South Central Prairie Special Education Unit would benefit from training on documenting the assurances for educating students with disabilities in the least restrictive learning environment. During interviews the staff knowledge of the procedure for documenting potential harmful effect was questionable. All of the files reviewed had checked the item as “no” for the consideration of potential harmful effects. Since some of the IEPs reviewed contained programs requiring removal of the student from the general education setting for more than 60% of the school day, it is doubtful that staff members have a clear understanding of the requirements of this regulation. The intent is to identify any potential harmful effect for any removal from general education and then to design proactive steps to minimize the anticipated potential harmful effect. The staff members who were interviewed by the NDDPI Monitoring Team did not express this knowledge.

V. PARENT INVOLVEMENT

Parents have the right to have access to their child's educational records. Parental consent is required for initial evaluation, reevaluation, and placement. Parents must be included in IEP team decisions, and parents must be notified of their right to appeal.

The South Central Prairie Special Education Unit has recently participated in an organizational restructuring that has had a very positive impact on parent participation. The unit has undergone strategic planning resulting in a new mission statement that is very student and parent oriented. The mission statement addresses the value that will be placed on differences in students and how these differences will be viewed as strengths. The mission statement also addresses equity needs for students and a commitment of the special education unit to “act with courage, consideration and discretion to provide opportunities for each child to become responsibly and effectively interdependent, in order to achieve worthwhile purposes in their lives”. The South Central Prairie Special Education Unit Self-Assessment Team identified increased parent involvement as a priority area for program improvement and have already implemented strategies to enhance parent involvement. In addition to the excellent Family Educator Enhancement Team (FEET) newsletter, several new initiatives have been started based on the family involvement priorities. This commitment to parent participation was observed during the site visit by the NDDPI Monitoring Team, and was reported through the interviews conducted with the teachers and administrators.

The South Central Prairie Special Education Unit Self-Assessment Team implemented telephone interviews with parents to determine the parents' knowledge of the IDEA regulations and their comfort level in exercising their rights under the IDEA. Forty-one parents were interviewed, representing approximately 25% of the parents served by the special education unit. During the telephone interviews conducted as a part of the monitoring process, parents indicated overall positive impressions of the South Central Prairie Special Education Unit.

The South Central Prairie Special Education Unit's Self-Assessment Team's *Parent Survey* contained questions on the parents perception of their level of participation in their child's educational program. When asked if they feel “welcome in my child's school and am treated with respect”, 95% of the parents agreed. Parents agreed 96% of the time to the item “I am asked to participate in the development of my child's Individualized Education Program (IEP).” When asked if they “understand what is discussed at the meetings to develop my child's IEP and feel comfortable asking questions and expressing concerns when needed,” 94% of the parents agreed. One hundred percent of the parents reported that they had received updates on their child's progress through report cards and parent-teacher conferences similar to updates provided to parents of students who do not have disabilities. One hundred percent also reported that they “had received a copy of their child's IEP soon after a meeting was held.”

NDDPI reviewed and analyzed the data and identified the following strengths and suggestions for improvement.

STRENGTHS

The South Central Prairie Special Education Unit has recently initiated a strong commitment to involving parents in the educational process for their child (ren). Parents report feeling more comfortable in visiting the school and discussing education issues relevant to their child with school personnel. The South Central Prairie Special Education Unit is to be commended for the emphasis being placed on parent involvement, the commitment to evaluating parents' perceptions of empowerment, and viewing parents as equal partners in the special education process.

SUGGESTIONS FOR IMPROVED RESULTS FOR CHILDREN

NDDPI strongly encourages the South Central Prairie Special Education Unit to continue to offer information and training opportunities to families of children with disabilities. Parental involvement has long been recognized as an important indicator of a school's success and parent involvement has positive effects on children's attitudes and behavior. Partnerships positively impact achievement, improve parent's attitudes toward the school, and benefit school personnel as well. The South Central Prairie Special Education Unit Self-Assessment Team identified the need for more communication between staff and parents about services and evaluation. Training for the special education teachers in methods for documenting parent input into the assessment plans and IEPs was conducted by NDDPI personnel in February of 2002. All student Assessment Plans and IEPs reviewed by the NDDPI Monitoring Team during the Verification Review one year later contained evidence that the teachers are consistently using the newly acquired skills in documenting parent input. It is also important to remember to document student input. The South Central Prairie Special Education Unit Self-Assessment Team identified cases where students who did not attend their IEP meeting gave input about their preferences and interests, but that information was not documented on the IEP. The NDDPI Monitoring Team concurs with the recommendation to provide training to teachers on methods of documenting student input in the assessment planning and IEP processes.

VI. PROCEDURAL SAFEGUARDS

Procedural safeguards, which ensure the fairness of educational decisions, include impartial due process hearings; the right to an independent educational evaluation; written notification to parents explaining their rights; parental consent; and appointment of surrogate parents, when needed.

Records are managed with regard to content, maintenance, security, and disclosure. The special education records are maintained in each school building of attendance with a copy maintained in the South Central Valley Special Education central office in Napoleon. File reviews in all of the schools indicated limited access notices were posted, record of inspection forms were in the files, and files were in a secure location within each school building visited during the NDDPI Monitoring Team site visit.

Due Process Procedural Safeguards are explained to parents fully. Parents are provided with a copy of the parents' rights booklet at least on a yearly basis, concurrent with the annual IEP review. Parents are also provided with the booklet describing parental rights with each parent prior notice that is sent out for meetings related to assessment planning, reevaluations, writing an integrated written assessment summary, placement in special education, and dismissal from special education.

The South Central Prairie Special Education Unit Self-Assessment report identified areas of procedural safeguards that were determined to be in 100% compliance including:

- File found in secured location.
- Limited access notice was posted.
- Record of inspection was in the files.
- Record of inspection completed correctly.
- File contained information for only one child.
- Record locator was contained in the file.

Parents were interviewed via telephone to determine the extent to which they feel empowered to exercise their rights under the IDEA. Of the 41 parents participating in telephone interviews, the following findings were reported in the South Central Prairie Special Education Unit Self-Assessment Report.

- Ninety-seven percent (97%) of the parents reported that they are always or usually "familiar with the school's requirement to notify me when decisions are being made concerning my child's education."
- Ninety-five percent (95%) of the parents reported that they "are familiar with the need to be informed that I can refuse to give my permission for evaluation or service for my child."
- Ninety-five percent (95%) of the parents reported that they "understand that I need to give written permission for the school to evaluate or place my child in a special education program."
- Ninety percent (90%) of the parents reported that they always or usually "understand the regulations and have been informed that I can ask for an independent educational evaluation for my child if I disagree with the school's evaluation."

- Ninety-five percent (95%) of the parents reported that they always, usually, or sometimes “understand the steps that I can take if I’m in disagreement with my child’s educational program”. The percentages for the three qualifiers consisted of always understand (68%), always or usually understand (80%), and always, usually, or sometimes understand (95%).
- When asked if they had received the Parent Guide to Special Education (big blue book) at the time of placement, 95% of the parents responded “yes.”
- When asked if they had received at least one copy each year of the Procedural Safeguards in Special Education for Children and Parents, 100% of the parents interviewed responded “yes.”

Students aged 17 years and older responded to a written survey item that they “remembered that they had been informed of their rights” in 96% of the cases.

The NDDPI reviewed the special education records of 4 students served through the South Central Prairie Special Education Unit. Additional files were reviewed in each of the cooperating school districts to examine the record locator forms. The review of the 4 special education records by the NDDPI Verification Team verified the findings of the South Central Prairie Special Education Unit Self-Assessment Team.

Parent Consent forms for the initial evaluations were found in all four records inspected indicating 100% compliance. Parent Consent forms for reevaluations were found in 4 out of 4 records for which this standard was applicable, indicating 100% compliance. Parent Consent for initial placements were also documented in all four files, resulting in 100% compliance.

Parent Prior Notice forms were found in all four files (100%) for both assessment planning and the most recent IEP meetings. The Parent Prior Notice forms for the initial referral for evaluation and for the initial IWAR meeting were found in all four files, indicating 100% compliance. The Parent Prior Notice forms contained all essential components in all cases.

Prior Notice forms for students graduating from high school were reviewed by the South Central Prairie Special Education Unit Self-Assessment Team. One hundred percent (100%) of the prior notice forms contained the requirement of listing graduation as a change in placement.

Two records were examined for the Transfer of Rights at age 18. The files included documentation that training was provided at age 17 and that the rights were transferred at age 18 in both cases, signifying 100% compliance.

NDDPI reviewed and analyzed the data and identified the following strengths and suggestions for improvement.

STRENGTHS

The South Central Prairie Special Education Unit is to be commended on their outstanding performance in maintaining educational records. The Unit accomplishes this requirement through the use of an effective tracking system in the central office that organizes the necessary documentation, provides reminders to teachers, and provides follow-up to ensure that the procedural safeguards are adequately documented. The state recommended procedural

safeguards practices are used by the South Central Prairie Special Education Unit with a high degree of consistency across all areas including providing parents prior notice, securing parent consent, and documenting the parents' receipt of information that describes their rights in the special education process.

SUGGESTIONS FOR IMPROVED RESULTS FOR CHILDREN:

Although the Record Locator form was contained in 100% of the cumulative records of special education students maintained in the school districts, some school districts have placed record locator forms in the files for all students in the school district, including those students who are not enrolled in special education. The record locator form should be placed only in the files for students for whom there is another record maintained on that child in a location separate from the cumulative files. If there are no such records maintained on a student, there should be no record locator form placed in that student's cumulative folder.

It is recommended that the South Central Prairie Special Education Unit continue with the current internal monitoring procedures. The excellent processes being used appear to be very effective in assuring that the required procedural safeguards are being implemented.